

Message Text

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PAGE 01 MONTRE 00262 162034Z
ACTION IO-13

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UNCLAS MONTREAL 262

E. O. 11652: N/A
TAGS: PORG, EAIR, ICAO
SUBJ: ICAO:DEN/ICE CONFERENCE

1. FOLLOWING IS TEXT OF WP/22 DISTRIBUTED FEB 15: "PROPOSED
NEW AGENDA ITEM, (PRESENTED BY DENMARK). WE PROPOSE THE
FOLLOWING AGENDA ITEM TO BE ADDED TO THE AGENDA OF THE DEN/ICE
3 CONFERENCE. AGENDA ITEM 6: INCREASES AND DECREASES OF THE
COST LIMIT OF ART. V. A. INCREASES. THE INCREASE OF THE COST
LIMIT OF ART V NECESSARY AND REQUESTED IN RELATION TO THE 1976
BUDGET WAS CAUSED BY THE ADDITION OF NEW SERVICES AND
FACILITIES. FOR SUCH PURPOSES ART VI HAS BEEN DEVELOPED.
COUNCIL HOWEVER DECIDED TO APPLY ART V, THEREBY ESTABLISHING A
REQUIREMENT FOR 100 PERCENT UNANIMITY. THE 100 PERCENT
UNANIMITY COULD ONLY BE OBTAINED FOR ONE YEAR BECAUSE OF THE
OBJECTION OF THE FEDERAL REPUBLIC OF GERMANY. THUS, WE
UNDERSTAND COUNCIL WITH THE BEST OF INTENTIONS TO SMOOTH THE
WAY CONSTRUCTING A SOMEWHAT DEBATABLE "EMERGENCY PROCEDURE"
CALLED "A ONE YEAR ACCEPTANCE" OF THE NEW SERVICES IN QUESTION.
WE BELIEVE IT PREFERABLE THAT THE TEXT AND THE SPIRIT OF THE
AGREEMENT BE ADHERED TO AND WE THEREFORE PROPOSE THAT WHENEVER
A RAISE OF THE COST LIMIT IS NECESSARY IN RESPECT OF NEW
SERVICES ARTICLE VI BE APPLIED IN FUTURE TO SAFEGUARD THE COMMON
INTEREST IN THE FURTHERING OF THE IMPLEMENTATION. B. DECREASES.
THERE IS NO EXPERIENCE ON THE ISSUE, AND THERE IS NO REFERENCE IN
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PAGE 02 MONTRE 00262 162034Z

THE TEXT OF THE AGREEMENT TO THIS PROBLEM OR TO ITS HANDLING. IN
1949 AND 1956 THERE WAS NOT SUFFICIENT INTEREST IN THE QUESTION TO
RAISE A DISCUSSION. HOWEVER, THE PROBLEM NOW DESERVES ATTENTION
AND A MINIMUM OF HANDLING PROCEDURE SHOULD BE ESTABLISHED. THE
MAIN INTERESTED PARTIES ARE THE OPERATING STATES WHO WANT TO
PRESERVE A SAFE MARGIN. IT IS HOPED THAT THIS INTEREST IS
SHARED BY THE CONTRIBUTING GOVERNMENTS AT LEAST TO A DEGREE

ALLOWING US TO AVOID UNNECESSARY AND UNREASONABLE ADJUSTMENTS.
THE FOLLOWING QUESTIONS ARE POSED: 1) IS IT AT ALL NECESSARY IN
THE LIGHT OF THE MANY YEARS OF EXPERIENCE TO RETAIN THE CEILING?
IT IS PROPOSED THAT THIS QUESTION COULD BE STUDIED BY THE
SECRETARIAT FOR DECISION BY DEN/ICE 4. 2) WHEN SHOULD DECREASES
TAKE PLACE AND WHAT SHOULD BE THE PROCEDURE IF THE COST LIMIT IS
BEING MAINTAINED? PROPOSAL: REDUCTIONS TO BE INITIATED BY COUNCIL
OR AT A JS CONFERENCE AND SUBJECT TO APPROVAL BY THE OPERATING STATES
AT SUITABLE INTERVALS WHEN SIGNIFICANT REDUCTIONS IN THE SERVICES
HAVE BEEN EFFECTED OR WHEN FOR OTHER REASONS THE MARGIN BETWEEN
ESTIMATES AND COST LIMITS SO JUSTIFIES. THE FOLLOWING
PERCENTAGES ARE SUGGESTED FOR GUIDANCE: WHEN THE NORMAL
DIFFERENCE BETWEEN ESTIMATES AND COST LIMITS EXCEEDS 30 PERCENT
AND ASSUMING THAT THERE IS NO PROSPECT OF REQUESTS FOR NEW
SERVICES AND NO EXISTENCE OR DISPUTES OF ANY UNSETTLED
FINANCIAL ISSUES BETWEEN THE PARTIES FOR WHICH PAYMENT MIGHT
BE CURTAILED OR PREVENTED UNDER THE REVISED COST LIMIT."
HARPER

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